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May 23, 2003

BY HAND DELIVERY

Michael Kunz, Clerk
United States District Court
For The Eastern District of PA
601 Market Street, Room 2609
Philadelphia, PA 19106

Re: Parker v. University of Pennsylvania
U.S.D.C. for the E.D. of Pa. Civil Action No. 02-CV-567

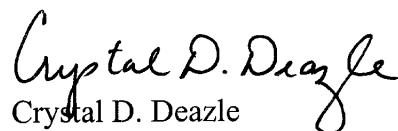
Dear Mr. Kunz:

Enclosed please find an original and a copy of a Proposed Order and Penn's Summary of Costs and Attorneys' Fees Incurred for Plaintiff's Refusal to Obey the Court's April 1 Order.

Kindly file the original and return a date-stamped copy to me in the enclosed self-addressed, stamped envelope.

Thank you for your assistance.

Very truly yours,


Crystal D. Deazle

Enclosures

cc: Honorable Judge Anita B. Brody (w/enc.)
Gordon Roy Parker (w/enc.)

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

GORDON ROY PARKER,

Plaintiff

v.

UNIVERSITY OF PENNSYLVANIA, a
Pennsylvania nonprofit corporation,

Defendant.

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CASE NO.: 02-cv-567

ORDER

AND NOW, this _____ day of _____, 2003, upon consideration of Defendant's Summary of Costs and Attorneys' Fees for Plaintiff's Refusal to Obey the Court's Order and Plaintiff's response thereto, it is hereby ORDERED that the Plaintiff shall pay Defendant \$ _____.

BY THE COURT:

Honorable Anita B. Brody, J.

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

GORDON ROY PARKER,

Plaintiff

v.

UNIVERSITY OF PENNSYLVANIA, a
Pennsylvania nonprofit corporation,

Defendant.

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CASE NO.: 02-cv-567

**PENN'S SUMMARY OF COSTS AND ATTORNEYS' FEES INCURRED
FOR PLAINTIFF'S REFUSAL TO OBEY THE COURT'S APRIL 1 ORDER**

The University of Pennsylvania ("Penn"), by and through its undersigned counsel, submits this summary of costs and attorneys' fees the University incurred in preparation of its Motion for Sanctions for Plaintiff's Refusal to Obey April 1 Order. Defendant avers it incurred the following reasonable costs and services as a result of Plaintiff's refusal to attend the court-ordered psychiatric examination on April 9, 2003:

1. Defendant incurred a four hundred and eighty dollar (\$480.00) no-show fee from Wolfram Rieger, M.D. for Plaintiff's April 9, 2003, unkept and uncanceled appointment for a comprehensive psychiatric examination. *See* Invoice attached hereto as Exhibit 1.

2. Defendant incurred (three thousand five hundred nineteen dollars and forty-five cents (\$3,519.45)) attorneys' fees for drafting an order, motion and memorandum of law in support of Penn's Motion for Sanctions for Plaintiff's Refusal to Obey April 1 Order. *See* Client Bill for Services attached hereto as Exhibit 2; Statement of Unbilled Time (Prebill) attached hereto as Exhibit 3.

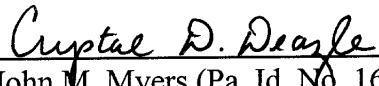
3. In addition, Defendant incurred (two hundred ninety seven dollars and zero cents (\$297.00)) attorneys' fees that have not yet been billed for Mr. Myers' review and editing of these documents and in preparation for and attendance at the teleconference of May 21, 2003. *See* Statement of Unbilled Time (Prebill) attached hereto as Exhibit 3.

4. Defendant avers that but for Plaintiff's willful violation of the Court's April 1 Order, it would not have incurred these additional costs and attorneys' fees.

WHEREFORE, Penn respectfully requests that the Court award Defendant \$3,816.45 to be paid by Plaintiff Gordon Roy Parker for the costs and attorneys' fees Defendant incurred in preparing its motion for sanctions and for the no-show fee assessed for Parker's failure to appear for his psychiatric examination.

Respectfully submitted,

Dated: May 23, 2003



John M. Myers (Pa. Id. No. 16642)
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